

REMARKS

Claims 2-7, 9-19, 22-27 and 39-43 are pending in this application. Claims 4-7, 9-15, and 17-19 are allowed. Claims 2, 3, 16, 22-26 and 39-43 are rejected. Claim 27 is objected to as being dependent upon a rejected base claim.

CLAIM REJECTIONS UNDER 35 U.S.C § 103

Claims 2, 3, 16, 22-26 and 39-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peled et al. (US Pat. No., 6,076,144) in view of Stepanov et al., (The Standard Template Library).

The cited references fail to disclose, either expressly or implicitly, each and every feature of the claimed embodiments.

Consider claim 3, which recites:

An apparatus, comprising a memory entry storing a trace having a multiple-entry, single exit architecture, ***wherein the entry is indexed by an address of a terminal instruction therein***

The Office Action acknowledges that Peled fails to disclose the claimed "wherein the entry is indexed by an address of a terminal instruction therein," relying on the a.back() function described in table 11 of Stepanov to disclose the claimed feature.

Table 11 discusses sequence operations in an object orientated programming environment. As seen in Table 11 the function a.back() returns a "reference; const_reference for constant a." That is, the function a.back() will return the reference value of the item at the end of the sequence or queue. There is no evidence that the last entry in the sequence or queue "is indexed by an address of a terminal instruction therein." That is, Stepanov merely discusses a queue and reading the last entry in the queue.

Accordingly, a *prima facie* case of obviousness cannot be based upon Peled and Stepanov, because there is no evidence that one of ordinary skill in the art would combine Peled's disclosure of traces with Stepanov's a.back() function and modify the combination to include the claimed "memory entry storing a trace having a multiple-entry, single exit architecture, wherein the entry is indexed by an address of a terminal instruction therein."

For the foregoing reasons, Applicants respectfully submit that independent claim 3 patentably distinguishes over the cited art. Independent claims 16, 22-23 and 40-43 patentably

distinguish over the cited art for similar reasons. Dependent claims 2, 24-26 and 39 refer to one of the independent claims, and therefore patentably distinguish over the cited art.

CONCLUSION

There being no further outstanding objections or rejections, Applicants respectfully request allowance of the application.

The Office is authorized to charge any fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

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/Matthew H. Polson/

Matthew H. Polson

Registration No. 58,841

KENYON & KENYON LLP
1500 K Street, N.W.
Washington, D.C. 20005
Ph.: (202) 220-4200
Fax.: (202) 220-4201